

## Agricultural Marketing Service, USDA

## § 911.47

Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

(b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purposes specified in this part, and shall be accounted for in the manner provided in this part. The Secretary may, at any time, require the committee and its members to account for all receipts and disbursements.

[20 FR 4179, June 15, 1955, as amended at 22 FR 2527, Apr. 13, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 35 FR 16626, Oct. 27, 1970; 43 FR 39320, Sept. 5, 1978]

### RESEARCH

#### § 911.45 Production research, marketing research and development.

The committee may, with the approval of the Secretary, establish or provide for the establishment of production research, marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption or efficient production of limes. Such projects may provide for any form of marketing promotion, including paid advertising. The expenses of such projects shall be paid from funds collected pursuant to the applicable provisions of § 911.41.

[40 FR 52604, Nov. 11, 1975]

### REGULATIONS

#### § 911.46 Marketing policy.

Each fiscal year prior to making any recommendation pursuant to § 911.47 or § 911.53, the committee shall submit to the Secretary a report setting forth its marketing policy for such fiscal year. Such marketing policy report shall contain information relative to (a) the estimated total production of limes within the production area; (b) the expected general quality and size of limes in the production area and in other areas, including foreign competing areas; (c) the expected demand conditions for limes in different market outlets; (d) the expected shipments of limes produced in the production area and in other areas including foreign

competing areas, together with a schedule of estimated weekly shipments of limes during such fiscal year; (e) supplies of competing commodities; (f) trend and level of consumer income; (g) other factors having a bearing on the marketing of limes; and (h) the type of regulations expected to be recommended during the season. In the event it becomes advisable, because of changes in the supply and demand situation for limes, to modify substantially such marketing policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this section. The committee shall publicly announce the contents of each marketing policy report and copies thereof shall be maintained in the offices of the committee where they shall be available for examination by growers and handlers.

[20 FR 4179, June 15, 1955, as amended at 22 FR 2527, Apr. 13, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961, further redesignated and amended at 37 FR 10498, May 24, 1972]

#### § 911.47 Recommendations for regulation.

(a) Whenever the committee deems it advisable to regulate the handling of any variety or varieties of limes in the manner provided in § 911.48, it shall so recommend to the Secretary.

(b) In arriving at its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for limes during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committee shall submit to the Secretary the data and information on which such recommendation is predicated, and such other available information as the Secretary may request.

(c) All meetings of the committee held for the purpose of formulating recommendations for regulations shall be open to growers and handlers. The committee shall give notice of such meetings to growers and handlers by mailing such notice to each grower and handler who has filed his address with

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the committee and requested such notice.

[20 FR 4179, June 15, 1955, as amended at 22 FR 2527, Apr. 13, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961, further redesignated and amended at 37 FR 10498, May 24, 1972]

### §911.48 Issuance of regulations.

(a) The Secretary shall regulate, in the manner specified in this section, the handling of limes whenever he finds, from the recommendations and information submitted by the committee or from other available information, that such regulations will tend to effectuate the declared policy of the act. Such regulations may:

(1) Prohibit, during any specified period or periods, the handling of any variety or varieties of limes which do not meet such grade, size, and quality (including internal quality and juice content) standards as shall be prescribed; *Provided*, That such regulations may require that limes not meeting minimum size requirements established under this section be marked with a Food and Drug Administration approved food dye as a necessary and incidental safeguard to prevent such limes from entering fresh marketing channels for regulated limes.

(2) Prescribe minimum standards of quality for any variety or varieties of limes and limit the handling thereof to those meeting such minimum standards;

(3) Limit the shipment of the total quantity of limes by prohibiting the shipment thereof: *Provided*, That no such prohibition shall be effective during any fiscal period other than for four periods not exceeding six days each immediately prior to, including, or following July 4, Labor Day, Thanksgiving Day, and Christmas Day.

(4) Fix the size, capacity, weight, dimensions, or pack of the container or containers which may be used in the packaging, and the transportation, sale, shipment, or other handling of limes; and

(5) Establish and prescribe pack specifications for the grading and packing of any variety or varieties of limes and require that all limes handled shall be packed in accordance with such pack specifications, and shall be identified by appropriate labels, seals, stamps, or

tags, affixed to the containers by the handler under the supervision of the committee or an inspector of the Federal-State Inspection Service, showing the particular pack specifications of the lot.

(6) Provide that any or all requirements effective pursuant to paragraphs (a)(1), (3), and (4) of this section applicable to the handling of limes shall be different for the handling of limes within the production area and for the handling of limes between the production area and any point outside thereof.

(7) Prescribe requirements, as provided in this paragraph, applicable to exports of any variety of limes which are different from those applicable to the handling of the same variety to other destinations.

(b) The committee shall be informed immediately of any such regulations issued by the Secretary and the committee shall promptly give notice thereof to growers and handlers.

[20 FR 4179, June 15, 1955, as amended at 22 FR 2527, Apr. 13, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 36 FR 14125, July 30, 1971. Redesignated at 37 FR 10498, May 24, 1972, and amended at 40 FR 52604, Nov. 11, 1975; 43 FR 39320, Sept. 5, 1978; 52 FR 7117, Mar. 9, 1987]

### §911.49 Modification, suspension, or termination of regulations.

(a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to §911.48 should be modified, suspended, or terminated, it shall so recommend to the Secretary.

(b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of limes in order to effectuate the declared policy of the act, he shall modify, suspend, or terminate such regulation. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the